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Remarks

Claims 1 to 9 and 11 to 19 are in this application.

The claims of the application have been revised to more particularly conform with US practice. In addition, claim 1 has been amended to include the recitations of claim 10.

In rejecting claim 10 as being unpatentable over Christel in combination with Culbert, the Examiner alleged that Culbert discloses a process for controlling crystallization of polyesters with their water content and that Culbert achieves the required crystallization by contacting the PET with water whereas the lowest temperature of polyester treatment is 60°C and that at certain conditions no visible crystallization occurs. The Examiner opined that it would have been obvious to use Culbert's pretreatment of palletized (sic) polyester prepolymer in order to achieve low degree of crystallization in order to avoid high processing temperature. Issue is taken in this respect.

Culbert is commonly assigned with the present application and is directed to a method as described in column 3, line 65 et seq. The method includes the steps of introducing the polymer material in a first reaction chamber wherein it is temporarily present as a melt; molding and cooling the melted polymer material into units of solidified polymer material and thereafter introducing the solidified polymer material into a second reaction chamber for setting the moisture content and then introducing the polymer material into a third reaction chamber for crystallizing the solidified polymer material. Example 1 of Culbert sets forth three

tests in which a granulate was placed in water for "one week"; in ambient air for weeks and dried over 60 hours under dried nitrogen (see column 5, lines 31 to 38). Examples 2 and 3 of Culbert show preliminary treatment steps occurring over periods of time of 8 or more hours.

Since the polymer melt is temporarily present in the first reaction chamber, the method of Culbert cannot be considered as one which continuously manufactures a polycondensate prepolymer melt. Further, in view of the extensive time required by Culbert to carry out the method described, one of ordinary skill in the art would not be motivated by Culbert to modify the process of Christel to arrive at a method as claimed that requires a step of "continuously manufacturing a polycondensate prepolymer melt, . . ." in order to manufacture a partially crystalline polyester.

Accordingly, a rejection of claim 1 (and prior claim 10) as being unpatentable over Christel in view of Culbert is not warranted pursuant to the provisions of 35 USC 103.

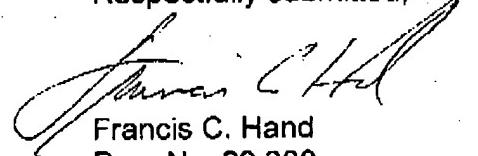
Claims 2 to 9 and 11 to 18 depend from claim 1 and are believed to be allowable for similar reasons.

In claim 19 contains recitation similar to claim 1 and is believed to be allowable for similar reasons.

The remaining references of record have been reviewed; however, none is believed to be further pertinent to the claimed method taken alone or in combination.

The application is believed to be in condition for allowance and such is respectfully requested.

Respectfully submitted,



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